

United States Bankruptcy Court District of Utah

April 24, 2008

Hearing Preset Training Guide (Self-Calendaring) For ECF Attorney and Trustee Users

Effective **Thursday, May 1, 2008**, the Court will release a new procedure for hearing presets which will allow attorneys and trustees to select certain pre-defined hearing dates in CM/ECF. The Court will no longer send letters to counsel with preset hearing dates and times. This new procedure is a way to make available specific hearing dates for ECF attorneys and trustee filers without having to contact the Court.

Presets will be defined by each chamber based on individual criteria. All judges will make Chapter 7 and 13 presets available for non-evidentiary, 5-10 minute hearings. All other matters which do not fit into the preset criteria above will still require a phone call to either the chambers or the scheduling clerk. Judge Clark's chambers may be contacted at 801-524-6549 and Judge Boulden and Judge Thurman's scheduling clerk may be contacted at 801-524-6627.

AVAILABLE PRESET REPORT

On May 1, 2008, the presets will be posted to a CM/ECF report found under the Reports menu option in CM/ECF. Filers who log in to ECF using their filing login will have access to the report. PACER users will not have access to the preset report. The number of hearing slots available for the date and time are listed along with the time allowed for each slot.

The preset report is constantly changing as slots are being used by ECF filers and also as chambers creates new presets. In addition, there are certain preset restrictions chambers may define such as chapter or case specific presets or a preset for a trustee user only. Each judge has a set of preset guidelines which may change from time-to-time.

A date calculator tool has been added to the preset report (at the bottom) to aid counsel in calculating hearing dates. See an example screen shot #1 of Available Chamber Presets on page two.

Available Chamber Preset Example Report

The screenshot shows a web browser window titled "District of Utah - Train Database - Mozilla Firefox". The address bar displays "https://ecf-train.utb.circ10.dcn/cgi-bin/login.pl?6989834". The browser's menu bar includes File, Edit, View, History, Bookmarks, Tools, and Help. The toolbar shows navigation buttons and a search bar. The page content is titled "Available Chamber Presets" and includes a "Please Note" section, a table of preset dates and times, and a calculation tool.

Available Chamber Presets

Please Note: The slots, shown below, may not be available if you delay filing your notice of hearing. We recommend you docket your notice of hearing as soon as possible. Certain presets are restricted by case, chapter and or Trustees.

Chambers of Judge Clark, Glen E.

Preset Guidelines: Available Chapter 7 and 13 presets for non-evidentiary, 5 minute hearings. If you need time for longer hearings or hearings that are not clearly defined below, contact chambers at 801-524-6549.

Preset Date & Time	Available Slots	Time Allotted	Types of Hearings	Restrictions
May 12 2008, 9:00 am	6	5 mins	Objection to Claims - 5 minutes only	Chapter 13 Only
May 12 2008, 2:00 pm	10	5 mins	Motions for Relief - 5 minutes only	N / A
June 12 2008, 11:00 am	6	5 mins	Objections to Claims	N / A

Chambers of Judge Thurman, William T.

Preset Guidelines: The following relates to Chapter 13 and Chapter 7 objections to proofs of claim, motions for relief from stay, objections to trustee's motions to dismiss, and other routine matters. Hearings on all other law and motion matters that you anticipate will take longer than 5 to 10 minutes must be obtained from the scheduling clerk by calling 801-524-6627. Please make sure that those hearings allowed to be taken off the calendar are scheduled far enough out that if no response is filed, they may be stricken. Please note that these preset dates should **not** be used to schedule any matter relating to Chapter 11 cases or summary judgments and other complex and highly contested matters.

Preset Date & Time	Available Slots	Time Allotted	Types of Hearings	Restrictions
June 04 2008, 2:00 pm	6	5 mins	Law and Motions	Chapter 7 Only

DAYS After

Please Note: Today is not included in the calculation. Please refer to Fed. R. Bankr. P. 9006(a).

DOCKETING PRESETS IN CM/ECF

Once an ECF user has selected a preset hearing from the Available Chambers Preset Report, they can insert the preset date and time into their notice of hearing and prepare the document for ECF filing. It is important for filers to be aware that other ECF filers are also using preset slots and the posted presets are in constant flux. Because of the nature of presets, it is important for filers to docket their notice of hearing as soon as possible so that selected presets are not used by other filers. Once a preset has been docketed, it confirms and calendars the slot with the judge's calendar.

To docket a notice of hearing with a preset date, simply select Notice of Hearing event from the Notices category. Progress through the screens to the hearing date, time and location screen. The hearing information screen (see preset selection screen shot) will have a pull-down screen with an option "please select a previously created calendar event." Click on the pull-down list to see

all the defined presets available. Review the list of presets and click the selected date. If the selection list does not have your selected preset slot listed, stop what you are doing and check the Available Chamber Preset Report again to verify if the slot is no longer available. Once you have selected the preset, the date, time and location will populate automatically. Proceed through the event and continue with the docket entry to completion.

Preset Selection Screen

Attorney/Trustee Guidelines for Using the Preset Report and Docketing a Notice of Hearing:

1. Select preset hearings based on the appropriate judge assigned to the case.
2. Select preset hearings which fit the type of hearing and length of hearing listed in each judge's guidelines. Do not set any hearings which are anticipated to last longer than the time specified for the preset or do not meet the preset guidelines.
3. Review all preset restrictions such as case or chapter specific preset and/or trustee only. Do not select a preset with restrictions which do not apply to your case.
4. When selecting a preset date, docket the notice of hearing in CM/ECF promptly. Do **NOT** delay the docketing of the notice of hearing. The docketing of the notice of hearing actually confirms the selection of the slot with chambers and sets your hearing on the calendar. Be aware of presets with less than 2 slots, as they could be selected by another user. Prompt docketing will ensure your time slot. If you have selected a preset which is no longer available during the docketing of your notice of hearing, you must immediately stop and reselect a new preset, or contact the scheduling person in the appropriate chambers.
5. Check the chamber's guidelines frequently for updates.
6. Please call the CM/ECF help desk for any problems or questions regarding this new procedure at 801-450-3443. You can also call Brenda Dowler at 801-524-6635.